

EXHIBIT D

Bounce-Back Email During Rate Lock Period

Dated: March 19, 2025

Submitted by:

Audury Petie Davis, Plaintiff

Following Context:

This email was sent during the critical loan rate lock period and bounced back undelivered. It directly supports Plaintiffs' position that New American Funding failed to maintain communication with the borrower during the refinance process. The document rebuts the Defendant's claim that communications were lost or scattered across multiple emails. It is also consistent with voicemail and portal records already in the case file.

Exhibit Description:

Undelivered email generated by Plaintiff Audury Petie Davis and returned on March 19, 2025, during the loan rate lock phase.

Strategic Purpose:

To establish material lender neglect during rate lock and to strengthen the showing of procedural and ethical misconduct. This evidence ties into Exhibits F, O, and E.

From: Mail Delivery System mailer-daemon@icloud.com
Subject: Undelivered Mail Returned to Sender
Date: Mar 19, 2025 at 4:56:37 PM
To: mfmallah87@icloud.com

This is a system-generated message to inform you that your email could not be delivered to one or more recipients. Details of the email and the error are as follows:

<shawn.wainwright@nafinc.com>: host
nafinc-com.mail.protection.outlook.com[52.101.11.13] said: 451 4.7.500
Server busy. Please try again later from [17.57.155.5]. (S77719)
[SN1PEPF00036F43.namprd05.prod.outlook.com 2025-03-19T20:56:34.890Z
08DD64E0E92E60E4] (in reply to end of DATA command)

Delivery report

573 bytes

Return-Path: DKIM-Signature: v=1;

a=rsa-sha256; c=relaxed/relaxed; d=[icloud.com](https://www.icloud.com); s=1a1hai;
bh=hDfQNOHRkYFqlcTfxsolL33qeSsAnpUI22o2hBmo8DM=; h=Content-
Type:From:Mime-Version:Date:Subject:Message-Id:To:x-icloud-hme;
b=QpJiF287DmEr0nYlqhL1q/a/cwGlpAMnGarrG2qQr66E4jrkWZDIESN6zfoZpEffF
Aau7L+QD6Qo0uUOCnC0C0a5gw7IHr/
18l85fhyk7fCG1LkXobCzx13X2SS0kwn9BF3 deSdPdbYMCume/
p38Zy2lsDUS2Gsi6Wh3hUN+d22NgVE7a5mYVvpYctETlhgz3Qofv
as5sT2rpc92J45cm7eL8NMxq77kRegyH2ylVMqdelhNrnNscNc8TCH2MljfidXloY
KJwslncJ79fvZRI+7sLhSEDGW8q2/
xdFjbS1lCWNDqVF0bofVU39kAQJnKh8HJ8dOO H3C43bmlz+zcw== Received:
from smtpclient.apple (gs51p00im-dlb-asmtip-mailmevip.me.com [17.57.155.28])
by gs51p00im-qukt01071502.me.com (Postfix) with ESMTPSA id 4941653C7262
for ; Wed, 19 Mar 2025 16:35:31 +0000 (UTC) Content-Type: multipart/alternative;
boundary=Apple-Mail-F47A2D6C-1933-48E2-B543-58687840E48D Content-
Transfer-Encoding: 7bit From: mfmallah87@icloud.com Mime-Version: 1.0 (1.0)
Date: Wed, 19 Mar 2025 12:35:19 -0400 Subject: =?utf-8?Q?
Fwd:_FINAL_NOTICE_BEFORE_LEGAL_ACTION_=E2=80=9393_LAWSUI?= =?utf-8?
Q?T_FILED_TOMORROW_?= Message-Id: References:
<78F121A7-3C4C-4675-970A-C438868B3A01@icloud.com> To: Shawn

Wainwright X-Mailer: iPhone Mail (22D82) X-Proofpoint-GUID:
cteKkykTGOY5gs5Owyf1cYmXCQi5MZRu X-Proofpoint-ORIG-GUID:
cteKkykTGOY5gs5Owyf1cYmXCQi5MZRu X-Proofpoint-Virus-Version:
vendor=baseguard
engine=ICAP:2.0.293,Aquarius:18.0.1093,Hydra:6.0.680,FMLib:17.12.68.34
definitions=[2025-03-19](#)_06,2025-03-19_01,2024-11-22_01 X-Proofpoint-Spam-
Details: rule=notspam policy=default score=0 spamscore=0 phishscore=0
mixlogscore=999 adultscore=0 suspectscore=0 clxscore=1015 malwarescore=0
bulkscore=0 mlxscore=0 classifier=spam adjust=0 reason=mlx scancount=1
engine=8.19.0-2411120000 definitions=main-2503190112

EXHIBIT D2

Bounce-Back of Good Faith Preservation Email

Dated: April 17, 2025

Submitted by:

Audury Petie Davis, Plaintiff

Following Context:

This communication was sent as part of an effort to document the loan file status and preserve litigation integrity. The email was returned undelivered, indicating Defendant's failure to maintain open channels of communication. It rebuts later claims that Plaintiffs were uncooperative or failed to preserve documents.

Exhibit Description:

Email bounce-back dated April 17, 2025, memorializing Plaintiff's effort to submit a preservation-of-record notice to Defendant's representative.

Strategic Purpose:

To confirm Plaintiff's litigation good faith and expose Defendant's post-hoc narrative as false. This exhibit works in tandem with Exhibits Y and E to establish a pattern of deflection and denial.

From: Mail Delivery System mailer-daemon@icloud.com
Subject: Undelivered Mail Returned to Sender
Date: Apr 17, 2025 at 6:06:32 AM
To: mfmallah87@icloud.com

This is a system-generated message to inform you that your email could not be delivered to one or more recipients. Details of the email and the error are as follows:

<sean.wainwright@nafinc.com>: host

nafinc-com.mail.protection.outlook.com[52.101.8.46] said: 550 5.4.1

Recipient address rejected: Access denied. For more information see

<https://aka.ms/EXOSmtpErrors>

[MN1PEPF0000ECD5.namprd02.prod.outlook.com

2025-04-17T10:06:24.770Z 08DD7D7D7FCE9303] (in reply to RCPT TO command)

<consumercomplaints@hud.gov>: host

hud-gov.mail.protection.outlook.com[52.101.8.52] said: 550 5.4.1 Recipient

address rejected: Access denied. For more information see

<https://aka.ms/EXOSmtpErrors> [DS4PEPF00000172.namprd09.prod.outlook.com

2025-04-17T10:06:24.899Z 08DD7CB4E0B50F67] (in reply to RCPT TO command)

<complaints@consumerfinance.gov>: host

consumerfinance-gov.mail.protection.outlook.com[52.101.8.50] said: 550

5.4.1 Recipient address rejected: Access denied. For more information see

<https://aka.ms/EXOSmtpErrors> [DS4PEPF0000016F.namprd09.prod.outlook.com

2025-04-17T10:06:25.165Z 08DD7CFE37663FE5] (in reply to RCPT TO command)

Delivery report

1 KB

Return-Path: DKIM-Signature: v=1;

a=rsa-sha256; c=relaxed/relaxed; d=icloud.com; s=1a1hai;

bh=jpm7cRLMd7+asIMzsEmnmsLnBO6RP7XnH8cgiPdt55c=; h=Content-

Type:From:Mime-Version:Subject:Date:Message-Id:To:x-icloud-hme;

b=AkHU1BidxC1lniCg+jE+0Rzr2kLh3YC/sYG1DjD4yruk393igw62fxq7WoDgfEfxq
 xuY1CPFLCFz/a5t3b3hf7hlysi+YnRhIBilBRjEjFamDkdwlRgm1Yb0CZB1kuw/LNe s+
 +BHXIPaQmpGSBWJKoub8ZZBsf6jVcqmZqUUjDIYY9KLUIPO8vu3ZDRjYZVVfqvO
 N 7J3J7HA3Bek+poFn5zEyfTAT1CeTK5l0mysjlxv1seAlxWMfQ4QJ+dtFvLjc81N3ax
 AeJviB1w3ZpNf8RqcykHJQjOD9zn3Vgv5Wg6eaxZEAh7/
 tPU72MaGe2BNGBrAQ+qDK LEXx95WMbzAmQ== Received: from
outbound.gs.icloud.com (localhost [127.0.0.1]) by outbound.gs.icloud.com
 (Postfix) with ESMTPS id E0041180014E; Thu, 17 Apr 2025 10:06:23 +0000 (UTC)
 Received: from smtpclient.apple (gs-asmtip-me-k8s.p00.prod.me.com
 [17.57.155.37]) by outbound.gs.icloud.com (Postfix) with ESMTPSA id
 899BF1800E26; Thu, 17 Apr 2025 10:06:23 +0000 (UTC) Content-Type:
 multipart/alternative; boundary=Apple-Mail-0D030A33-
 C86E-4C50-83F4-7C2FC8AEABD4 Content-Transfer-Encoding: 7bit From:
mfmallah87@icloud.com Mime-Version: 1.0 (1.0) Subject: =?utf-8?Q?
 Formal_Preservation_of_Evidence_Notice_=E2=80=93Pendi?= =?utf-8?Q?
 ng_Federal_Litigation_=28Butler_v._New_American_Funding=29?= =?utf-8?Q?_
 = Date: Thu, 17 Apr 2025 06:06:12 -0400 Message-Id: Cc: legal@nafinc.com,
compliance@nafinc.com, sean.wainwright@nafinc.com, jason.miller@nafinc.com
 To: Amy Dale X-Mailer: iPhone Mail (22D82)